

Offices of John S. Mills
P.O. Box 1160
Columbia, Ca. 95310

Mr. Norman Shopay
Department of Water Resources
Conjunctive Water Management Branch
901 P. St. Rm 213-A
Sacramento, CA 95814

Subject: Proposition 84, Integrated Regional Water Management Program, Regional Acceptance Process, Draft Guidelines Comments

January 26, 2009

Dear Mr. Shopay:

I am writing on behalf of my clients, the Tuolumne Utilities District regarding the above mentioned subject. The Tuolumne Utilities District is the managing agency for the Tuolumne - Stanislaus Integrated Regional Water Management Program. The area encompassed by this Program includes the Stanislaus and Tuolumne Rivers, from their headwaters to the western Calaveras and Tuolumne County boundaries.

The Tuolumne - Stanislaus IRWM Program has active participation from numerous interests including all the water agencies and districts from within the Program area, both the County of Tuolumne and the County of Calaveras, the United States Forest Service, Stanislaus N.F., the California Department of Fish and Game, the Central Sierra Environmental Resource Center, the Central Sierra Audubon Society, the Tuolumne Group of the Sierra Club, the Tuolumne County Farm Bureau, the Tuolumne River Preservation Trust, the Tuolumne County Resource Conservation District, the Utica Power Authority, the City of Sonora, the City of Angels and the Sierra Nevada Alliance.

We wish to congratulate you on the development of the proposed Regional Acceptance Process (RAP) Guidelines. We believe that the guidelines provide a reasonable approach to providing the Department of Water Resources (DWR) an opportunity to evaluate and validate the boundaries of IRWM programs.

We discussed the guidelines at our meeting of January 21 and only have a few questions of clarification.

1. It is not clear whether applications for IRWM Boundary acceptance will be "open" and taken all year, or will be restricted to specified periods of time. There are IRWM programs at varying degrees of completion or organization, but it is our understanding that all IRWM programs must be "accepted" by DWR through the RAP process. Further, even now some IRWMs are just starting up and trying to estimate when they would be able to apply to the DWR for acceptance. Could you clarify how DWR will allow and process RAP applications in an orderly, timely and efficient process?

2. There are existing IRWM Programs which have completed plans and implementation projects underway and/or completed. There are also IRWM Programs in the midst of updating or completing their initial IRWM Plan. There are also IRWM Programs which have not started their planning phase but which have been readying to start work. There are also IRWM Programs in the early stages of initial organization and which have yet to resolve the most fundamental questions of boundaries and governance. The existing guidelines seem to be written for IRWM Programs which have already completed their plans and that have already identified implementation projects. Could you provide additional guidance and consideration in the final guidelines for those IRWM programs at an earlier stage of development?

3. The RAP process requires the applicant to develop and submit significant information for acceptance. If the RAP process results in an acceptance of the IRWM Program Region, could the information developed and submitted to the DWR on this process be utilized without significant reformatting to complete submission requirements on Planning Grants and Implementation Grants? This would seem to be an opportunity to save scarce fiscal resources and make the application process more readily accessible to applicants.

4. Could the work carried out by an IRWM Region with all or partial DAC qualification be credited for the costs of the RAP submission? Perhaps through application for a Planning Grant or Implementation Grant?

5. For new IRWM Regions which apply for the RAP process could the DWR alter schedules so that they are able to compete in the initial round of Planning Grants? If they are not somehow accommodated there will be a significant "gap" between the existing regions and emerging regions with regards to completed plans. This may result in unintended consequences in the development of IRWM implementation projects.

6. DWR has not made it clear what number of IRWM Program representatives could participate in RAP interview meetings as part of this process. Could you clarify your intentions?

Thank you for the opportunity to review the RAP guidelines and we thank you and the DWR IRWM Program staff for their diligent and hard work on this effort.

If you have any questions please do not hesitate to contact me.

Sincerely,



John S. Mills